IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION No. 370 OF 2006
IN
COMPANY PETITION No. 719 OF 2002

Smt. Asha Bhonsale PETITIONER

Vs.

Magnasound India Limited RESPONDENT

Star India Private Limited APPLICANT

Mr. Heena Dukande i/b Kadam & Co. for applicant.

Mrs. K. V. Gautam, Dy. Official Liquidator.

CORAM : S.C. DHARMADHIKARI, J.
DATE : MARCH 18, 2006.

P.C. :

1. Heard the learned advocate appearing for the applicant and the official liquidator. which has been appointed as provisional liquidator of Magnasound India Limited.

2. The applicant has filed a suit bearing No. 70 of 2004 against Magnasound India Pvt. Limited in the Court Additional District Judge, Tis Hazari at New Delhi. The applicant seeks leave to proceed with the said suit. It is brought to my notice that the original

petitioner has filed a winding up petition, which is pending in this Court and the Official Liquidator has been appointed as provisional liquidator of the company, pursuant to order dated 30th April, 2003. In the light of the averments in para 3 of the affidavit, application is allowed in terms of Clause (a).

3. No orders as to costs.

4. Applicant’s advocate states that upon a decree passed in their favour in the said suit, notice will be given to the official liquidator.

(S.C. DHARMADHIKARI,J.)